

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70123 of 2021

Arising Out of PS. Case No.-16 Year-2021 Thana- SHANKARPUR District- Madhepura

Nitish Kumar Son of Sadanand Yadav Resident of Village - Raibhir Ward
No.8, P.s.- Shankarpur, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, App

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 414 of the Indian Penal Code read with Sections 25 (1-b)a, 26, 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 12.02.2021, charge-sheet has been submitted in the case and has antecedent of 7 cases. It is further submitted that inadvertently one criminal antecedent of the petitioner could not be mentioned at paragraph 3 of the bail application.

Learned counsel for the petitioner submits that allegation is of recovery of a loaded country-made pistol along with one live cartridge.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the case and nothing was



recovered from him.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 12.02.2021 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Shankarpur P.S. Case No. 16 of 2021 with a condition that one of the bailors of the petitioner shall be his father Sadanand Yadav.

The petitioner shall be released after framing of charge and if the charges have been framed, the petitioner shall be released.

Further, if the learned court below comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, then the learned court below shall forthwith cancel the bail bonds of the petitioner after recording reasons.

(Satyavrat Verma, J)

Gaurav Kumar/-

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